

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25862 of 2021

Arising Out of PS. Case No.-167 Year-2020 Thana- NAWANAGAR District- Buxar

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Avinash Kumar @ Avinash Kumar Singh Son Of Jagnarayan Singh Resident
Of Village- Nawanagar, P.S.- Nawanagar, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shivangi Singh Wife Of Alvinash Kumar @ Avinash Kumar Singh,
Daughter Of Sudhanshu Kumar At Present Resident Of Plot No. 122, Lekha
Nagar, Khagaul Road, Danapur, P.S. Khagaul, District-Patna.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh
For the Opposite Party/s : Mr. Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 18-04-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Nawanagar P.S. Case No. 167 of 2020 instituted for the
offence under Sections 341, 323, 498A, 504 and 34 of the
Indian Penal Code and Sections 3/4 of the Dowry Prohibition
Act.

As per allegation in the FIR, due to non-fulfillment of
dowry demand by way of Bullet Motorcycle and cash, petitioner
along with other family members started to abuse and torture
her mentally and physically.



It is submitted by learned counsel for the petitioner that petitioner is husband of the informant. He is District Programme Officer under the Mid-day Meal Scheme. It is mentioned in para 14 of the petition that he is ready to keep the informant as wife with full dignity and honour.

The aforesaid offer of the petitioner has not been accepted by the informant who denies to go to her matrimonial house and live with her husband. However, she prays for some maintenance for survival of herself and her school going daughter as her income from a private job is not sufficient.

In the alternative, learned counsel appearing on behalf of the petitioner, on instructions, submits that petitioner is ready to give Rupee ten thousand per month from this month, subject to furnishing bank account number by the informant to the petitioner.

In the changed circumstance, learned counsel for the informant admits that he shall provide bank account number of the informant to the petitioner within a period of one week from today. On receipt of the bank account number of the informant, the petitioner shall deposit Rs. 10,000/- (Ten Thousand) in first week of every month commencing from the month of April as maintenance in the account furnished by the informant.



Having heard learned counsel for the parties and considering the submissions made on behalf of the petitioner, this Court is inclined to enlarge him on bail. The petitioner, above named, in the event of his arrest or surrender before learned Court below within a period of four weeks from today, shall be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/-(Ten Thousands) with two sureties of the like amount each to the satisfaction of learned SDJM, Buxar in connection with Nawanagar P.S. Case No. 167 of 2020 subject to the conditions as laid down under section 438(2) of the Cr.P.C.

The bail bonds of the petitioner shall be accepted by the learned court below on showing receipt of (deposit for the month of April) of Rs. 10,000/- by the petitioner in the account of the informant.

The aforesaid payment will be subject to any order passed in the maintenance case for final settlement.

(Sunil Kumar Panwar, J)

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